IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
) CASE NO. 07-00261-01-CR-W-NKL
ROBERT P. FOUNTAINE, JR.,)
)
Defendant.	

REPORT AND RECOMMENDATION CONCERNING PLEA OF GUILTY

The Defendant, by consent, has appeared before me pursuant to Fed.R.Crim.P. 11, Local Rule 72(j)(26), and 28 U.S.C. § 636, and has entered a plea of guilty to Count 1 of the Information. After cautioning and examining the Defendant under oath concerning each of the subjects mentioned in Fed.R.Crim.P. 11, I determined that the guilty plea is knowledgeable and voluntary as to Count 1 of the Information and that the offense charged is supported by an independent basis in fact containing each of the essential element of such offense. A record was made of the proceedings and a transcript is available. I therefore recommend that the plea of guilty be accepted and that the Defendant be adjudged guilty and have sentence imposed accordingly.

Failure to file written objections to this Report and Recommendation within ten (10) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. § 636(b)(1)(B).

s/ JOHN MAUGHMER
JOHN MAUGHMER
United States Magistrate Judge

Dated: <u>April 16, 2008</u>